

Adopted	Rejected
---------	----------

## COMMITTEE REPORT

YES:	12
NO:	1

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1540, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 4, between lines 14 and 15, begin a new paragraph and insert:
- 2 "SECTION 2. IC 33-10.1-5-7 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) A city court
- 4 is not a court of record.
- 5 (b) A town court is not a court of record.
- 6 (c) A person selected as judge of the following courts must be an
- 7 attorney in good standing under the requirements of the supreme court:
- 8 (1) Anderson city court.
- 9 (2) **Avon town court.**
- 10 (3) Brownsburg town court.
- 11 ~~(3)~~ (4) Carmel city court.
- 12 ~~(4)~~ (5) A city or town court located in Lake County.
- 13 ~~(5)~~ (6) Muncie city court.

1           ~~(6)~~ (7) Noblesville city court.

2           ~~(7)~~ (8) Plainfield town court.

3           SECTION 3. IC 33-5-13.1-2 IS AMENDED TO READ AS  
4           FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) The court  
5           has ~~five (5)~~ **six (6)** judges, who shall be elected at the general election  
6           every six (6) years in Elkhart County. A judge's term begins January 1  
7           following the judge's election and ends December 31 following the  
8           election of the judge's successor.

9           (b) To be eligible to hold office as a judge of the court, a person  
10          must:

11           (1) be a resident of Elkhart County;

12           (2) be under seventy (70) years of age at the time the judge takes  
13           office; and

14           (3) be admitted to the bar of Indiana.

15          SECTION 4. IC 33-5-13.1-10 IS AMENDED TO READ AS  
16          FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 10. Three (3) of  
17          the judges of the court shall hold sessions in the Elkhart County courts  
18          building in the city of Elkhart. Two (2) of the judges of the court shall  
19          hold sessions in an appropriate place in the city of Goshen selected by  
20          the county commissioners. **One (1) of the judges of the court shall**  
21          **hold sessions in an appropriate place selected by the county**  
22          **commissioners.** The board of county commissioners shall provide and  
23          maintain suitable courtrooms and other rooms and facilities, including  
24          furniture and equipment, as may be necessary. The county council of  
25          Elkhart County shall appropriate sufficient funds for the provision and  
26          maintenance of such rooms and facilities."

27          Page 6, after line 7, begin a new paragraph and insert:

28          "SECTION 11. [EFFECTIVE UPON PASSAGE] **IC 33-10.1-5-7,**  
29          **as amended by this act, does not apply to a person who is elected as**  
30          **judge of the Avon town court in the 1999 general election.**

31          SECTION 12. [EFFECTIVE JULY 1, 1999] (a) **The initial election**  
32          **for the sixth judge of the Elkhart Superior Court, established by**  
33          **IC 33-5-13.1-2, as amended by this act, shall be the general election**  
34          **conducted on November 7, 2000. The term of the initial additional**

- 1       **elected judge begins January 1, 2001.**
- 2       **(b) This SECTION expires January 2, 2003.**
- 3       **SECTION 13. An emergency is declared for this act."**
- 4       Renumber all SECTIONS consecutively.  
      (Reference is to HB 1540 as introduced.)

**and when so amended that said bill do pass.**

---

Representative Dvorak